



Reprinted
April 9, 1999

ENGROSSED SENATE BILL No. 632

DIGEST OF SB 632 (Updated April 8, 1999 8:10 pm - DI 58)

Citations Affected: IC 20-1; IC 20-10.1; noncode.

Synopsis: Annual school performance reports and reading diagnostic assessments. Makes changes regarding publication and obtaining copies of annual performance reports by school corporations. Establishes the reading diagnostic and remediation program and fund. Provides that the program and fund are to be administered by the department of education. Requires the program to be implemented. Provides that a grade 1 or grade 2 student who is selected by the student's teacher because of difficulty in reading may be assessed and,
(Continued next page)

Effective: July 1, 1999.

Weatherwax, Sipes

(HOUSE SPONSORS — WELCH, SCHOLER)

January 25, 1999, read first time and referred to Committee on Education.
February 25, 1999, amended, reported favorably — Do Pass.
March 2, 1999, read second time, amended, ordered engrossed.
March 3, 1999, engrossed.
March 4, 1999, read third time, passed. Yeas 47, nays 2.

HOUSE ACTION

March 10, 1999, read first time and referred to Committee on Education.
March 25, 1999, reported — Do Pass; referred to Committee on Ways and Means pursuant to House Rule 127.
April 6, 1999, reported — Do Pass.
April 8, 1999, read second time, amended, ordered engrossed.

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if determined to be lacking in reading skills, must have an individualized reading instruction plan prepared for the student. Requires the state board of education to select and purchase a diagnostic instrument for the assessment portion of the program. Provides that the student's school must track the student's performance after remediation. Provides that a school may receive diagnostic and remediation grants from the fund.

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Reprinted
April 9, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED SENATE BILL No. 632

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-1-21-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. A school
3 corporation shall implement at least one of the subsections in this
4 section.

5 (a) Not earlier than September 1 or later than September 15 of
6 each year, the governing body of a school corporation shall publish
7 a notice that is not less than eight and one-half (8 1/2) inches by
8 eleven (11) inches in size stating the following:

9 (1) That the annual performance report of the school
10 corporation, in compliance with the procedures identified in
11 section 8 of this chapter, is available.

12 (2) That the governing body will provide a copy of the annual
13 performance report to any person requesting it.

14 (3) The internet address at which an annual performance
15 report of the school corporation that complies with section
16 8 of this chapter is available.

17 (4) That the governing body will mail or distribute a printed

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report to the parents or guardians of students attending the school. Such mailed or distributed report shall contain all elements of the electronic report along with any additional information the school elects to provide.

The governing body may not charge a fee for providing a copy of the annual performance report. The notice must be published one (1) time annually under IC 5-3-1.

(b) Not earlier than September 1 or later than September 15 of each year, the governing body of a school corporation shall publish an annual performance report of the school corporation, in compliance with the procedures identified in section 8 of this chapter. The report must be published one (1) time annually under IC 5-3-1. **Notwithstanding IC 5-3-1-1(c), the annual performance report of the school corporation may include the following:**

(1) Type larger than the type used in the regular reading matter of the newspaper or qualified publication.

(2) Graphics.

(3) Other typographical methods to enhance the report.

However, the basic charge for publishing the annual performance report remains the charge for the lines as computed with the formula established in IC 5-3-1-1(b). To determine the charge for publishing the annual performance report, advertising space devoted to graphics, type larger than the type used in the regular reading matter of the newspaper or qualified publication, and other typographical methods to enhance the report shall be converted to the number of lines of regular reading matter that would have normally occupied the same space.

SECTION 2. IC 20-1-21-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. Not later than sixty (60) days after the publication of the report, the governing body of a school corporation ~~may~~ **shall** conduct ~~a~~ **at least one public hearing meeting, such meeting or meetings to occur** at a location within the school corporation to present and discuss the report. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.

SECTION 3. IC 20-10.1-21.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]:

Chapter 21.5. Reading Diagnostic and Remediation Program

Sec. 1. As used in this chapter, "diagnostic grant" refers to a grant provided to a school corporation to perform reading diagnostic assessments under this chapter.



1 **Sec. 2.** As used in this chapter, "fund" refers to the reading
 2 diagnostic assessment and remediation fund established under
 3 section 5 of this chapter.

4 **Sec. 3.** As used in this chapter, "program" refers to the reading
 5 diagnostic and remediation program established under section 6 of
 6 this chapter.

7 **Sec. 4.** As used in this chapter, "remediation grant" refers to a
 8 grant provided to a school corporation to provide remediation for
 9 students who participate in a reading diagnostic assessment.

10 **Sec. 5. (a)** The reading diagnostic assessment and remediation
 11 fund is established to provide diagnostic grants and remediation
 12 grants under this chapter. The fund shall be administered by the
 13 department.

14 (b) Money in the fund at the end of a state fiscal year does not
 15 revert to the state general fund.

16 **Sec. 6. (a)** The reading diagnostic and remediation program is
 17 established to provide:

- 18 (1) early identification of; and
 19 (2) remediation to;
 20 students who have difficulty reading.

21 (b) The department shall:

- 22 (1) administer the program; and
 23 (2) coordinate training for grade 1 and grade 2 teachers in the
 24 administration and interpretation of reading diagnostic
 25 instruments.

26 **Sec. 7. (a)** The board shall select and purchase a diagnostic
 27 instrument for the assessment portion of the program. The
 28 diagnostic instrument selected by the board must:

- 29 (1) measure both phonics and whole language ability and
 30 comprehension;
 31 (2) assess phonemic awareness;
 32 (3) test other appropriate reading skills and comprehension;
 33 and
 34 (4) be suitable for administration and interpretation by grade
 35 1 and grade 2 teachers.

36 (b) The governing body of a school corporation may select an
 37 alternate diagnostic instrument for use in the school corporation.
 38 An alternate diagnostic instrument selected under this subsection
 39 must:

- 40 (1) meet the criteria set forth under subsection (a); and
 41 (2) be approved by the board before it may be administered.

42 **Sec. 8. (a)** Not later than October 15 of each year, each school



corporation may administer the diagnostic instrument selected under section 7 of this chapter.

(b) The diagnostic instrument shall be administered to the following grade 1 or grade 2 students:

(1) A student who has been identified by the student's teacher as having difficulty reading.

(2) A student whose parents request that the student be assessed, if the student's teacher and principal determine that the diagnostic instrument is an appropriate assessment tool for the student.

(c) A school is eligible to receive a diagnostic grant from the fund in an amount that does not exceed the amount determined in STEP FOUR of the following formula:

STEP ONE: Determine the Indiana academic standard for language arts scale score plus ten (10) scale score points as tested by the grade 3 ISTEP for the three (3) most recently administered tests.

STEP TWO: For the three (3) preceding years in which the ISTEP language arts test was administered to grade 3 students, determine the total number of grade 3 students in the school who did not meet the academic standard scale score determined under STEP ONE.

STEP THREE: Divide the sum determined under STEP TWO by three (3).

STEP FOUR: Multiply the quotient determined under STEP THREE by two dollars (\$2).

(d) A diagnostic grant shall be used for the costs of:

- (1) administering; and
- (2) interpreting the results of;

the diagnostic instrument.

Sec. 9. (a) This section applies to a grade 1 or grade 2 student who:

- (1) has been assessed by the diagnostic instrument selected under section 7 of this chapter; and
- (2) based upon the results of the assessment, is determined to have a reading deficiency.

(b) The teacher of a student to whom this section applies shall:

- (1) develop an individualized reading instruction plan for the student; and
- (2) review the plan with the student's parent:
 - (A) in a meeting; or
 - (B) if a meeting cannot be arranged after a reasonable



effort by the teacher, through sending the plan to the parent for the parent's signature.

(c) An individualized reading instruction plan:

- (1) must specify appropriate remedial programs or activities for a student to address areas in which the student lacks skills, as identified by the diagnostic instrument; and
- (2) may utilize existing remedial and tutoring programs offered by the school corporation, through the department, or through a federal program.

(d) A school is eligible to receive a remediation grant from the fund in an amount that does not exceed the number of students in the school to whom this section applies multiplied by one hundred dollars (\$100).

Sec. 10. Each school shall:

- (1) determine whether students who participated in an individualized reading plan in grade 1 or grade 2 meet the academic standard scale score tested by:
 - (A) the grade 3 ISTEP language arts test; or
 - (B) a comparable assessment or evaluation conducted by the school during the grade 3 school year; and
- (2) report the school's findings to the department in a form determined by the department.

SECTION 4. [EFFECTIVE JULY 1, 1999] (a) Notwithstanding IC 20-10.1-21.5-8(c), as added by this act, a school is eligible to receive a diagnostic grant for the 1999-2000 school year from the reading diagnostic assessment and remediation fund in an amount that does not exceed the amount determined in STEP FOUR of the following formula:

STEP ONE: Determine the Indiana academic standard for language arts scale score plus ten (10) scale score points as tested by the grade 3 ISTEP for the two (2) most recently administered tests.

STEP TWO: For the two (2) preceding years in which the ISTEP reading test was administered to grade 3 students, determine the total number of grade 3 students in the school who did not meet the academic standard scale score determined under STEP ONE.

STEP THREE: Divide the sum determined under STEP TWO by two (2).

STEP FOUR: Multiply the quotient determined under STEP THREE by twelve dollars (\$12).

(b) This SECTION expires June 30, 2001.



COMMITTEE REPORT

Mr. President: The Senate Committee on Education, to which was referred Senate Bill No. 632, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 22, after "comprehension;" insert "**and**".

Page 2, delete line 23.

Page 2, line 24, delete "(5)" and insert "**(4)**".

Page 2, line 33, delete "shall" and insert "**may**".

Page 4, delete lines 32 through 37.

Page 4, line 38, delete "(c)" and insert "**(b)**".

and when so amended that said bill do pass.

(Reference is to SB 632 as introduced.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Mr. President: I move that Senate Bill 632 be amended to read as follows:

Page 2, line 11, delete "shall" and insert "**may**".

Page 2, line 16, delete "shall" and insert "**may**".

(Reference is to SB 632 as printed February 26, 1999.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 632, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 14, nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 632, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 24, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 632 be amended to read as follows:

Page 2, line 11, delete "may" and insert "**shall**".

Page 2, line 16, delete "may" and insert "**shall**".

(Reference is to ESB632 as printed March 26, 1999.)

BOSMA

 HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 632 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-1-21-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 4. **A school corporation shall implement at least one of the subsections in this section.**

(a) **Not earlier than September 1 or later than September 15 of each year, the governing body of a school corporation shall publish a notice that is not less than eight and one-half (8 1/2) inches by eleven (11) inches in size stating the following:**

- (1) That the annual performance report of the school corporation, in compliance with the procedures identified in section 8 of this chapter, is available.**
- (2) That the governing body will provide a copy of the annual performance report to any person requesting it.**
- (3) The internet address at which an annual performance report of the school corporation that complies with section 8 of this chapter is available.**
- (4) That the governing body will mail or distribute a printed report to the parents or guardians of students attending the school. Such mailed or distributed report shall contain all elements of the electronic report along with any additional information the school elects to provide.**

The governing body may not charge a fee for providing a copy of the annual performance report. The notice must be published one (1) time annually under IC 5-3-1.

(b) **Not earlier than September 1 or later than September 15 of each year, the governing body of a school corporation shall publish an**

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annual performance report of the school corporation, in compliance with the procedures identified in section 8 of this chapter. The report must be published one (1) time annually under IC 5-3-1. **Notwithstanding IC 5-3-1-1(c), the annual performance report of the school corporation may include the following:**

- (1) Type larger than the type used in the regular reading matter of the newspaper or qualified publication.**
- (2) Graphics.**
- (3) Other typographical methods to enhance the report.**

However, the basic charge for publishing the annual performance report remains the charge for the lines as computed with the formula established in IC 5-3-1-1(b). To determine the charge for publishing the annual performance report, advertising space devoted to graphics, type larger than the type used in the regular reading matter of the newspaper or qualified publication, and other typographical methods to enhance the report shall be converted to the number of lines of regular reading matter that would have normally occupied the same space.

SECTION 2. IC 20-1-21-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. Not later than sixty (60) days after the publication of the report, the governing body of a school corporation ~~may~~ **shall** conduct ~~a~~ **at least one** public ~~hearing~~ **meeting, such meeting or meetings to occur** at a location within the school corporation to present and discuss the report. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body."

Re-number all SECTIONS consecutively.

(Reference is to ESB 632 as printed March 26, 1999.)

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